



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Ingo KONETZKI, et al.) Art Unit: 1625
U.S. Appln. No. : 10/717,868) Examiner: SEAMAN, D. Margaret M
Confirmation No. : 9343
U.S. Filing Date : 11/19/2003
Title of Invention : Tiotropium-Containing Pharmaceutical Combination For Inhalation
Attny. Docket No.: 1/1428

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

November 22, 2005

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☐ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☒ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☒ The fee set forth in 37 C.F.R. §1.17(p).

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☒ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Respectfully submitted,



Andrea D. Small
Attorney for Applicant(s)
Reg. No. 54,859

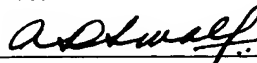
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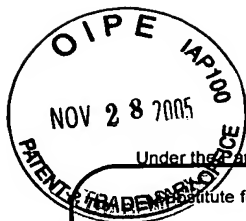
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Andrea D. Small, Reg. No. 54,859

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/717,868
Filing Date	11/19/2003
First Named Inventor	Ingo KONETZKI
Art Unit	1625
Examiner Name	SEAMAN, D Margaret M
Attorney Docket Number	1/1428

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 2002/193392	12-19-2002	J. NAGEL, et al.	
		US- 2003/119802	06-26-2003	B.C. GAVIN, et al.	
		US- 2003/113269	06-19-2003	B.C. GAVIN, et al.	
		US- 2002/0137764	09-26-2002	P. BARTH, et al.	
		US- 6,890,517	05-10-2005	P. BARTH, et al.	
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		US- 2003/0203918	10-30-2003	C.J.M. MEADE, et al.	
		US- 2002/0193394	12-19-2002	B. DISSE	
		US- 2004/0039011	02-26-2004	B. DISSE	
		US- 5,610,163	03-11-1997	R. BANHOLZER, et al.	
		US- 6,908,928	06-21-2005	R. BANHOLZER, et al.	
		US- 6,777,423	08-17-2004	R. BANHOLZER, et al.	
		US- 2004/0002548	01-01-2004	K. BOZUNG, et al.	
		US- 6,433,027	08-13-2002	K. BOZUNG, et al.	
		US- 6,455,524	09-24-2002	K. BOZUNG, et al.	
		US- 6,630,466	10-07-2003	K. BOZUNG, et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 00/75114	12-14-2000	NOVARTIS		
		WO 02/38154	05-16-2002	BI Pharma		
		WO 01/78741	10-25-2001	GLAXO Group LTD.		
		WO 01/78739	10-25-2001	GLAXO Group LTD.		
		EP 05104702	05-31-2005	BI Pharma GmbH & Co. KG		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		US-			
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Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		EP 04019003	08-11-2004	BI Pharma GmbH & Co. KG		
		EP 05107266	08-06-2005	Boehringer Ingelheim International GmbH		
		EP 05107267	08-06-2005	Boehringer Ingelheim International GmbH		

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